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Koichiro Maemura

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11/01/2006

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EXAMINER

PARK, CHAN S

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/653,994

Applicant(s)

MAEMURA, KOICHIRO

Examiner

CHAN S. PARK

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN
PRIMARY EXAMINER

Tran Douglas

Chan S. Park

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 8/9/06, and has been entered and made of record. Currently, **claims 1-42** are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-42 have been considered but are moot in view of the new ground(s) of rejection.
3. Furthermore, with respect to applicant's remark wherein on page 31, the applicant explains how the current invention has a particular function that distinguishes itself from the invention of Kida. The applicant states that the current invention, having the list of receipt-rejected communication partners outputted, enables one to identify possible communication partners who should be registered in the receipt allowed communication partner registration table. The examiner notes that this feature is clearly taught by Kida in col. 10, lines 29-31.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kida in view of Maruyama U.S. Patent No. 6,721,071.

4. With respect to claim 17, Kida discloses a facsimile device provided with a receipt-rejected function of rejecting message receipt from a communication partner other than communication partners previously registered in a receipt-allowed communication partner registering table (Abstract & col. 3, lines 61-68),

said facsimile device provided with a receipt-rejecting function comprising (fig. 11 & col. 10, lines 12-19):

a receipt-rejected communication control medium collecting the communication control information in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table, and storing said collected communication control information in a receipt-rejected communication control information storage medium (col. 10, lines 20-35);

a communication control list creating medium creating a list of image information on the basis of the communication control information stored in said receipt-rejected communication control information storage medium (fig. 11 & col. 10, lines 25-29); and

a list outputting medium visibly outputting said list of image information created by said communication control list creating medium (fig. 11 & col. 10, lines 25-29),

wherein when said communication relating to the message arrival from said communication partner not registered in said receipt-allowed communication partner

registering table is rejected, a facsimile receiving process is not performed by said facsimile device for the receipt-rejected communication (V6 & V7 in fig. 11), and

wherein said list of image information includes communication control information for a plurality of rejected communications, and the communication control information in the list for a rejected communication indicates that the communication was rejected (col. 10, lines 25-29) including the date and time of the rejected communication (fig. 12).

It should be noted that the receipt-rejected communication control information storage medium is an inherent feature since either a temporary or permanent memory is required for the both printing and display.

Although Kida clearly states that the output according to fig. 12 enables one to identify "the list of the stations that have been rejected" (col. 10, lines 28-29), as the applicant argues, it is not explicit whether the list of Kida shows a plurality of receipt-rejected communication partners as depicted in fig. 6 of the applicant's drawing.

Maruyama, the same field of endeavor of the facsimile communication, discloses a method of saving the result of facsimile communication history to notify the user of the facsimile results (fig. 7 & col. 5, lines 43-49).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to implement the method of saving the plurality of facsimile communication results according to Maruyama into the facsimile spam blocker of Kida.

The suggestion/motivation for doing so would have been to correctly identify all rejected communications at once, which occur erroneously by using the list having the plurality of facsimile results.

Therefore, it would have been obvious to combine Kida with Maruyama to obtain the invention as specified in claim 17.

5. With respect to claim 18, Kida teaches a method of controlling a facsimile device provided with a receipt-rejected function of rejecting message receipt from a communication partner other than a communication partner previously registered in a receipt-allowed communication partner registering table (Abstract & col. 3, lines 61-68),

said method of controlling the facsimile device provided with a receipt-rejecting function comprising the steps of (fig. 11 & col. 10, lines 12-19):

collecting communication control information in connection with the communication relating to message arrival from a communication partner not registered in said receipt-allowed communication partner registering table (col. 10, lines 20-35);

storing said collected communication control information in a receipt-rejected communication control information storage medium (col. 10, lines 20-35);

creating a list of image information on the basis of the communication control information stored in said receipt-rejected communication control information storage medium (fig. 11 & col. 10, lines 25-29); and

visibly outputting said created list of image information (fig. 11 & col. 10, lines 25-29).

wherein when said communication relating to the message arrival from said communication partner not registered in said receipt-allowed communication partner registering table is rejected, a facsimile receiving process is not performed by said facsimile device for the receipt-rejected communication (V6 & V7 in fig. 11), and

wherein said list of image information includes communication control information for a plurality of rejected communications, and the communication control information in the list for a rejected communication indicates that the communication was rejected (col. 10, lines 25-29).

It should be noted that the receipt-rejected communication control information storage medium is an inherent feature since either a temporary or permanent memory is required for the both printing and display.

Although Kida clearly states that the output according to fig. 12 enables one to identify "the list of the stations that have been rejected" (col. 10, lines 28-29), as the applicant argues, it is not explicit whether the list of Kida shows a plurality of receipt-rejected communication partners as depicted in fig. 6 of the applicant's drawing.

Maruyama, the same field of endeavor of the facsimile communication, discloses a method of saving the result of facsimile communication history to notify the user of the facsimile results (fig. 7 & col. 5, lines 43-49).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to implement the method of saving the plurality of facsimile communication results according to Maruyama into the facsimile spam blocker of Kida.

The suggestion/motivation for doing so would have been to correctly identify all rejected communications at once, which occur erroneously by using the list having the plurality of facsimile results.

Therefore, it would have been obvious to combine Kida with Maruyama to obtain the invention as specified in claim 18.

6. With respect to claim 19, Kida discloses a facsimile device provided with a receipt-rejected function of rejecting message receipt from communication partner other than communication partners previously registered in a receipt-allowed communication partner registering table (Abstract & col. 3, lines 61-68), wherein said facsimile device comprising:

a normal communication control medium collecting communication control information in connection with the communication relating to a message receipt from the communication partner registered in a transmission-allowed communication partner registering table or in said receipt-allowed communication partner registering table and storing said collected communication control information in said normal communication control information storage medium (fig. 11).

With respect to the rest of limitations in claim 19, arguments analogous to those presented for claims 17 and 18, are applicable.

7. With respect to claim 20, arguments analogous to those presented for claims 17-19, are applicable.

8. With respect to claim 21, Kida discloses the facsimile device provided with a receipt-rejecting function as defined in claim 17,

wherein the communication control information collected by said receipt-rejected communication control medium and stored in said receipt-rejected communication control information storing medium in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed

communication partner registering table includes a communication partner identifying information (fig. 12).

9. With respect to claim 22, arguments analogous to those presented for claim 21, are applicable.

10. With respect to claim 23, arguments analogous to those presented for claim 21, are applicable.

11. With respect to claim 24, arguments analogous to those presented for claim 21, are applicable.

12. With respect to claim 25, Kida teaches the method of controlling the facsimile device provided with a receipt-rejecting function as defined in claim 18,

wherein the communication control information memorized in said receipt-rejected communication control information storing medium in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table includes a communication partner identifying information (fig. 12).

13. With respect to claim 26, arguments analogous to those presented for claims 21 and 25, are applicable.

14. With respect to claim 27, Kida discloses the facsimile device provided with a receipt-rejecting functions as defined in claim 17,

wherein said facsimile device further comprises a time counting medium for counting the present date and time; and

wherein the communication control information collected by said receipt-rejected communication control medium and storing in said receipt-rejected communication control information memorizing medium in connection with the communication relating to the message arrival from the communication partner not registered in said receipt-allowed communication partner registering table includes the date-and-time information read out from said time counting medium at the time of the message arrival (fig. 12).

Since it prints out the date and time of the transmission, it is inherent that the device has a clock for counting the present date and time.

15. With respect to claim 28, arguments analogous to those presented for claim 27, are applicable.

16. With respect to claim 29, arguments analogous to those presented for claim 27, are applicable.

17. With respect to claim 30, arguments analogous to those presented for claim 27, are applicable.

18. With respect to claim 31, arguments analogous to those presented for claim 27, are applicable.

19. With respect to claim 32, arguments analogous to those presented for claim 27, are applicable.

20. With respect to claim 33, arguments analogous to those presented for claim 27, are applicable.

21. With respect to claim 34, arguments analogous to those presented for claim 27, are applicable.

22. With respect to claims 35-38, arguments analogous to those presented for claim 27, are applicable.

23. With respect to claim 39, arguments analogous to those presented for claim 17, are applicable.

24. With respect to claim 40, arguments analogous to those presented for claim 20, are applicable.

25. With respect to claim 41, arguments analogous to those presented for claim 18, are applicable.

26. With respect to claim 42, arguments analogous to those presented for claim 19, are applicable.

27. With respect to claim 1, arguments analogous to those presented for claim 17, are applicable.

28. With respect to claim 2, arguments analogous to those presented for claim 18, are applicable.

29. With respect to claim 3, arguments analogous to those presented for claim 19, are applicable.

30. With respect to claim 4, arguments analogous to those presented for claim 20, are applicable.

31. With respect to claims 5-16, arguments analogous to those presented for claim 27, are applicable.

Conclusion

32. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

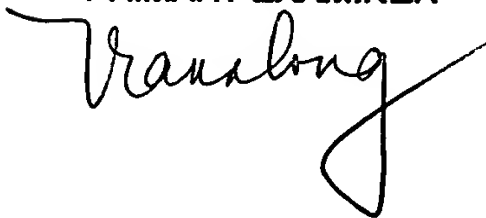
33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **CHAN S. PARK** whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

csp
October 27, 2006

DOUGLAS Q. TRAN
PRIMARY EXAMINER



Chan S. Park
Examiner
Art Unit 2625

